

November 9, 2009

Clerk of the Court
U.S. District Court for the District of New Jersey
MLK Bldg.
50 Walnut Street
Newark, New Jersey 07101

U.S. Court of Appeals for the Third Circuit
601 Market Street, Room 21400
Philadelphia, PA 19106-1790

Certified Mail-RRR

James E. Cecchi, Esq.
c/o Carella, Byrne, Bain, Gilfillan, Cecchi, Stewart & Olstein
5 Becker Farm Road
Roseland, New Jersey 07068


Certified Mail-RRR

Christopher B. Hockett, Esq.
c/o Davis Polk & Wardwell
1600 El Camino Real
Menlo Park, California 94025

To All:

I have enclosed a claim form for filing.

Sincerely



Aaron Petrus

T-MOBILE EARLY TERMINATION FEE SETTLEMENT CLAIM FORM

This relates to your T-Mobile Account.

for official use only

IF YOU HAVE IDENTIFIED YOURSELF AS A SETTLEMENT CLASS MEMBER AND BELIEVE THAT YOU ARE ENTITLED TO CLAIM A BENEFIT, PLEASE COMPLETELY AND ACCURATELY FILL IN THE INFORMATION REQUESTED BELOW.

Please enter the following information:

Name: Aaron PetrusCurrent Address: 13424 MOSCOW Trail, Austin, Texas 78729Current Telephone Number: (824) 404-7791mailing address: 120 Woodhaven Ingleside, Tx 78362

If you are unsure whether you are a Settlement Class Member, please review the Class definition in the Settlement Agreement (www.etf-settlement.com/settlementagreement). If you are a Settlement Class Member and unsure whether you can claim a benefit, please review the benefit eligibility in the Plan of Allocation (www.etf-settlement.com/planofallocation). The defined terms used in this Claim Form, other than those defined in this Claim Form, shall have the same meaning set forth in the Settlement Agreement.

THIS CLAIM FORM MUST BE POSTMARKED
NO LATER THAN NOVEMBER 9, 2009.

Name on the T-Mobile Account: Aaron PetrusT-Mobile Account Number(s): 972-303-1332 and 972-302-3370T-Mobile Wireless Phone Number(s): ↓Dates of Wireless Service Contract(s): don't rememberDate flat-rate ETF charged (if any), or Date flat-rate ETF paid (if any): July 23, 1999 - February 19, 2009

Amount of flat-rate ETF charged (if any): _____

Amount of flat-rate ETF paid (if any): _____

Current EMAIL Address: _____

Subject to the terms of the Settlement Agreement, and pending final approval of the Settlement, to obtain any benefits in this Settlement, you must complete and timely submit a Claim Form. This Claim Form is the means by which you can submit your claim. IT IS IMPORTANT THAT YOUR CLAIM FORM IS COMPLETE AND YOU HAVE SUPPLIED ANY REQUIRED DOCUMENTATION. You may also complete a claim online at www.etf-settlement.com/claimform. All claims must be filed electronically, or postmarked on or before the expiration date of the Claim Period. If you provide incomplete, incorrect, or inaccurate information, your claim may be denied. By submitting a Claim Form, you are agreeing to participate in the Settlement, if it becomes final, and you are forever waiving any right to seek judicial recourse or otherwise make any claim that is subject to the release agreement (for the complete settlement terms, see the Settlement Agreement at www.etf-settlement.com/settlementagreement).



GENERAL INSTRUCTIONS

1. This Settlement will provide benefits to qualifying former T-Mobile Customers who were charged an Early Termination Fee ("ETF") on or before February 19, 2009, and Customers who had a flat-rate ETF provision in their subscriber agreement(s) on February 19, 2009. YOU MAY BE ELIGIBLE FOR BENEFITS WHETHER OR NOT YOU PAID A FLAT-RATE ETF. Three categories of benefits are available. Submit your claim under the category that describes your situation. Even if you have multiple claims, you may choose only ONE of the categories and ONE of the benefits under that category. The benefit amounts shown are the highest possible amounts. In the event that the claims for cash exceed the available settlement funds, the cash benefit amounts will be reduced pro rata in order to allow the maximum number of claims. In the event that the value of claims for non-cash benefits (other than the prorated ETF benefit) exceeds \$2 million, the non-cash benefit amounts (other than the prorated ETF benefit) will be reduced pro rata in order to allow the maximum number of claims. To obtain certain non-cash benefits identified below, at the time that the benefits are made available you will need to be either a current T-Mobile subscriber or a current T-Mobile subscriber with a flat-rate ETF provision depending on the benefit you select.

If you select such a non-cash benefit and are not a current T-Mobile subscriber (or, in the case of the proration benefit, are not a current T-Mobile subscriber with a flat-rate ETF provision) at that time, you will receive T-Mobile HotSpot access instead of the benefit you selected.

The prorated ETF provision to which you will be bound if you select that benefit reads: "EXCEPT FOR MONTH-TO-MONTH CUSTOMERS, AN EARLY TERMINATION FEE WILL APPLY IF YOU CHOOSE TO END YOUR SERVICE BEFORE THE END OF YOUR TERM, OR IF WE TERMINATE IT EARLY. THE EARLY TERMINATION FEE IS: \$200 IF YOU TERMINATE WITH MORE THAN 180 DAYS REMAINING ON YOUR TERM; \$100 IF YOU TERMINATE WITH 91 TO 180 DAYS REMAINING ON YOUR TERM; \$50 IF YOU TERMINATE WITH 31 TO 91 DAYS REMAINING ON YOUR TERM; AND THE LESSER OF \$50 OR YOUR MONTHLY RECURRING CHARGES (including any applicable taxes and fees) IF YOU TERMINATE IN THE LAST 30 DAYS OF YOUR TERM. The Early Termination Fee is part of our rates and is not a penalty. The Early Termination Fee applies only to the extent permitted by law. Unless you request otherwise, your termination will be effective at the end of your current billing cycle. You will remain responsible for all fees and charges for your service and usage through termination. If you bought your wireless device from an independent T-Mobile dealer or other third-party vendor, they may charge a separate termination fee."

To obtain the latest information about the status of the Settlement, please visit www.etf-settlement.com.

2. When documentation is required, produce COPIES, and keep all originals in your possession. Be sure that all copies are legible.
3. All claims must be postmarked or electronically filed on or before November 9, 2009.
4. All claim materials and representations in support of your claim materials must be true and correct, are subject to verification by T-Mobile records, Class Counsel and the Settlement Administrator, and are submitted by you under penalty of perjury of the laws of the United States.
5. Please refer to the Settlement Agreement which can be found at www.etf-settlement.com/settlementagreement if you require more detailed instructions, or contact the Settlement Administrator at P.O. Box 945, Minneapolis, Minnesota 55440-0945 or Class Counsel, Freed & Weiss LLC, at www.FreedWeiss.com, or by email at info@etf-settlement.com.

BENEFIT ELECTION

Choose the one category that best describes your situation. You may choose only one benefit within that category.

Category I – I paid in full a flat-rate ETF on or before February 19, 2009:

Select the situation that best describes your claim, along with the corresponding benefit:

- ☒ By checking here, I choose a \$125 check. I certify under penalty of perjury that I paid in full a flat-rate ETF to T-Mobile, a collection agency, or other third party to whom T-Mobile assigned the rights to the ETF on or before February 19, 2009 and I (a) can provide documentation to prove it or (b) received a postcard informing me of my potential right to an award.

OR

- ☐ By checking here, I choose a \$25 check. I certify under penalty of perjury that I was charged, and I paid in full, a flat-rate ETF to T-Mobile, a collection agency, or other third party to whom T-Mobile assigned the rights to the ETF on or before February 19, 2009 but cannot provide documentation to prove it and did not receive a postcard informing me of my potential right to an award. I understand that if records provided by T-Mobile to the Settlement Administrator establish that I paid in full a flat-rate ETF on or before February 19, 2009, I will receive a \$125 check, but if they do not establish that I was charged a flat-rate ETF on or before February 19, 2009, I will not receive a check.

I have attached the following documents as required to support my claim: _____



☐ Category II – I was charged a flat-rate ETF, but did not pay it in full on or before February 19, 2009:

☐ By checking here, I choose a \$25 check. I certify under penalty of perjury that I was charged a flat-rate ETF, but did not pay it in full on or before February 19, 2009 and that the charging of the fee and/or the partial payment caused me harm. I understand that if records provided by T-Mobile to the Settlement Administrator do not establish that I was charged a flat-rate ETF on or before February 19, 2009, I will not receive a check unless I provide documentation proving that I was charged a flat-rate ETF on or before February 19, 2009.

I have attached the following documents as required to support my claim: _____

Category III – I was subject to a flat-rate ETF provision in my T-Mobile contract on February 19, 2009 and I certify under penalty of perjury that I have been harmed by it and/or that I should not be subject to it, and I had not paid or been billed a flat-rate ETF on or before February 19, 2009:

I may elect one of the following:

☒ By checking here, I choose to receive 50 bonus minutes each month for 3 months.

OR

☐ By checking here, I choose to receive 100 bonus text messages each month for 3 months.

OR

☐ By checking here, I choose to receive T-Mobile HotSpot access for 7 days.

OR

☐ By checking here, I choose to be subject to a prorated ETF provision instead of the flat-rate ETF provision that is currently in my contract.

I understand that no benefits in Category III other than T-Mobile HotSpot access will be provided to me if, at the time they are distributed, I am no longer a T-Mobile subscriber. I understand that T-Mobile HotSpot access will be provided to me if I selected the prorated ETF benefit and, at the time it becomes effective, I am no longer a T-Mobile subscriber with a flat-rate ETF provision. I understand that I may not receive T-Mobile HotSpot access if I do not provide my email address at the beginning of this form.

DECLARATION UNDER PENALTY OF PERJURY

By submitting this Claim Form, I represent under penalty of perjury that I believe that I am a member of the Settlement Class and that all of the information I have provided above is true and correct and that the copies of documents I have provided (to the extent provided) are also true and correct. I further represent that I am over the age of eighteen (18) and am of sound mind.

Claimant Signature: _____

Date: 11-19-09

NOTE: Do not call or write to T-Mobile, T-Mobile's Customer Care, T-Mobile's lawyers, or the Court regarding the Settlement, benefits or Claim Form. You may contact the Settlement Administrator at P.O. Box 945, Minneapolis, Minnesota 55440-0945 or one of your lawyers by sending an email to Freed & Weiss LLC at info@etf-settlement.com, by visiting www.FreedWeiss.com, or by writing to Class Counsel at 111 West Washington Street, Suite 1331, Chicago, Illinois 60602, attention T-Mobile Settlement.



Aaren Petrus
c/o Ian Petrus
120 Woodhaven
Inglewood, TX 78362

COPIES OF THE
TX 78362
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Clerk of the Court
U.S. District Court for the District of New
Jersey
MLK Bldg.
50 Walnut Street
Newark, New Jersey 07101

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